

BUSINESS REPORT

**MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION**

SENATE TAXATION COMMITTEE

Date: Wednesday, April 8, 2009
Place: Capitol

Time: 4:00 pm
Room: 405

BILLS and RESOLUTIONS HEARD:

NONE

EXECUTIVE ACTION TAKEN:

TABLED: HB 631

DO PASS: SJ 37

DO CONCUR: HB 312
HB 262
HB 657

DO CONCUR
AS AMENDED: HB 315
HB 636

BE AMENDED: HB 658

COMMENTS:

SEN. Jeff Essmann, Chairman

MONTANA STATE SENATE ROLL CALL TAXATION COMMITTEE

DATE: April 8, 2009

NAME	PRESENT	ABSENT/ EXCUSED
Chairman Jeff Essmann	✓	
Vice Chair Taylor Brown	✓	
Senator Jerry Black	✓	
Senator Gary Branae	✓	
Senator Ron Erickson	✓	
Senator Kelly Gebhardt	✓	
Senator Kim Gillan	✓	
Senator Bradley Maxon Hamlett	✓	
Senator Christine Kaufmann	✓	
Senator Robert Story, Jr.		✓
Senator Bruce Tutvedt	✓	



SENATE STANDING COMMITTEE REPORT

April 9, 2009

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Mr. President:

We, your committee on **Taxation** recommend that **Senate Joint Resolution 37** (first reading copy -- white) **do pass**.

Signed: _____

Senator Jeff Essmann, Chair

- END -

Committee Vote:

Yes 10, No 0

Fiscal Note Required ☐

SJ0037001SC.sdr

DR



SENATE STANDING COMMITTEE REPORT

April 9, 2009

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Mr. President:

We, your committee on **Taxation** recommend that **House Bill 312** (third reading copy -- blue) be **concurred in**.

Signed: _____

Senator Jeff Essmann, Chair

To be carried by Senator Bradley Hamlett

- END -

Committee Vote:

Yes 8, No 3

Fiscal Note Required ☐

HB0312001SC06466.sdr

OK



SENATE STANDING COMMITTEE REPORT

April 9, 2009

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Mr. President:

We, your committee on **Taxation** recommend that **House Bill 315** (second house second reading copy -- tan) **be concurred in as amended.**

Signed: _____

Senator Jeff Essmann, Chair

To be carried by Senator Kim Gillan

And, that such amendments read:

1. Title, line 5.

Strike: "; REDUCING" through "FORMULA"

Insert: "BY PROVIDING FOR INFLATION ADJUSTMENTS TO THE EXCLUSION
AMOUNT AND THE INCOME CAP"

2. Page 2, line 12.

Strike: "\$4,000"

Insert: "\$3,600"

3. Page 2, line 16.

Strike: "\$1"

Insert: "\$2"

4. Page 2, line 20.

Strike: "\$1"

Insert: "\$2"

5. Page 6, line 7.

Following: "professional."

Insert: "(13) By November 1 of each year, the department shall multiply the amount of pension and annuity income contained in subsection (2)(c)(i) and the federal adjusted gross income amounts in subsection (2)(c)(ii) by the inflation factor for that tax year, but using the year 2009 consumer

Committee Vote:

Yes 8, No 3

Fiscal Note Required ☐

OK

price index, and rounding the results to the nearest \$10.
The resulting amounts are effective for that tax year and
must be used as the basis for the exemption determined under
subsection (2)(c)."

6. Page 6, line 16.

Strike: "\$4,000 or adjusted by an"

Insert: "the"

7. Page 6, line 17.

Following: "15-30-111(2)(c) "

Strike: "(ii) "

8. Page 6, line 23.

Strike: "first" through "or the"

9. Page 6, line 24.

Following: "15-30-111(2)(c) "

Strike: "(ii) "

10. Page 7, line 6.

Strike: "first" through "or the"

Following: "15-30-111(2)(c) "

Strike: "(ii) "

11. Page 7, line 15.

Strike: "first" through "or the"

Following: "15-30-111(2)(c) "

Strike: "(ii) "

12. Page 7, line 24.

Strike: "\$4,000 or adjusted by an"

Insert: "the"

13. Page 7, line 25.

Following: "15-30-111(2)(c) "

Strike: "(ii) "

14. Page 8, line 7.

Strike: "\$4,000 or adjusted by an"

Insert: "the"

15. Page 8, line 8.

Following: "15-30-111(2)(c) "

Strike: "(ii) "

- END -

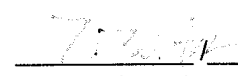

COMMITTEE FILE COPY

TABLED BILL

The **SENATE TAXATION COMMITTEE** TABLED HB 631, by motion, on **Wednesday, April 8, 2009.**


(For the Committee)

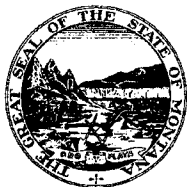

(Secretary of the Senate)

 
(Time) (Date)

April 9, 2009

Debra L. Polhemus, Secretary

Phone: 4685



SENATE STANDING COMMITTEE REPORT

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Mr. President:

We, your committee on **Taxation** recommend that **House Bill 636** (third reading copy -- blue) be **concurring in as amended**.

Signed: _____

Senator Jeff Essmann, Chair

To be carried by Senator Kim Gillan

And, that such amendments read:

1. Page 1, line 12.

Following: "The"

Insert: "following"

2. Page 1, line 15.

Following: "31"

Strike: "."

Insert: ":"

(a) 100% of the recognized gain for a mobile home park with 50 or fewer lots; or

(b) 50% of the recognized gain for a mobile home park with more than 50 lots.

(2)"

Renumber: subsequent subsections

3. Page 1.

Following: line 30

Insert: "(5) Qualifying for an income or corporate tax exclusion pursuant to this section does not exempt the mobile home park from property taxation."

- END -

Committee Vote:

Yes 6, No 5

Fiscal Note Required ☐

HB0636001SC00444.sdr

OK



SENATE STANDING COMMITTEE REPORT

April 9, 2009

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Mr. President:

We, your committee on **Taxation** recommend that **House Bill 657** (third reading copy -- blue) be **concurred in**.

Signed: _____

Senator Jeff Essmann, Chair

To be carried by Senator Jerry Black

- END -

Committee Vote:

Yes 11, No 0

Fiscal Note Required ☐

HB0657001SC02671.sdr

DR



SENATE STANDING COMMITTEE REPORT

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Mr. President:

We, your committee on **Taxation** recommend that **House Bill 262** (third reading copy -- blue) be **concurred in**.

Signed: _____

Senator Jeff Essmann, Chair

To be carried by Senator Ron Erickson

- END -

Committee Vote:

Yes 6, No 5

Fiscal Note Required ☐

HB0262001SC05157.sdr

DL

ROLL CALL VOTE
TAXATION COMMITTEE
MONTANA STATE SENATE

Date: 4/8/09

Bill No.: SB312

Motion: be amended

NAME (11 Members)	AYE	NO	Proxy
Vice Chair, Taylor Brown		✓	
Senator Ron Erickson		✓	
Senator Bradley Maxon Hamlett		✓	
Senator Kelly Gebhardt	✓		
Senator Bruce Tutvedt		✓	
Senator Christine Kaufmann	✓		
Senator Kim Gillan	✓		
Senator Jerry Black		✓	
Senator Robert Story, Jr.		✓	✓
Senator Gary Branae		✓	
Chairman Jeff Essmann		✓	

VOTE: 3-8

ROLL CALL VOTE
TAXATION COMMITTEE
MONTANA STATE SENATE

Date: 4/8/09

Bill No.: HB 312

Motion: do pass (concur)

NAME (11 Members)	AYE	NO	Proxy
Vice Chair, Taylor Brown	✓		
Senator Ron Erickson	✓		
Senator Bradley Maxon Hamlett	✓		
Senator Kelly Gebhardt		✓	
Senator Bruce Tutvedt	✓		
Senator Christine Kaufmann	✓		
Senator Kim Gillan		✓	
Senator Jerry Black	✓		
Senator Robert Story, Jr.	✓		✓
Senator Gary Branae	✓		
Chairman Jeff Essmann		✓	

VOTE: 8-3

ROLL CALL VOTE
TAXATION COMMITTEE
MONTANA STATE SENATE

Date: 4/8/09

Bill No.: HB315

Motion: Do Concur As Amended

NAME (11 Members)	AYE	NO	Proxy
Vice Chair, Taylor Brown	✓		
Senator Ron Erickson	✓		
Senator Bradley Maxon Hamlett	✓		
Senator Kelly Gebhardt	✓		
Senator Bruce Tutvedt		✓	
Senator Christine Kaufmann	✓		
Senator Kim Gillan	✓		
Senator Jerry Black	✓		
Senator Robert Story, Jr.		✓	✓
Senator Gary Branae	✓		
Chairman Jeff Essmann		✓	

VOTE: 8-3

ROLL CALL VOTE

TAXATION COMMITTEE

MONTANA STATE SENATE

Date: 4.8.09

Bill No.: HB 631

Motion: On Table (sub-motion)

NAME (11 Members)	AYE	NO	Proxy
Vice Chair, Taylor Brown	✓		
Senator Ron Erickson		✓	
Senator Bradley Maxon Hamlett		✓	
Senator Kelly Gebhardt	✓		
Senator Bruce Tutvedt	✓		
Senator Christine Kaufmann		✓	
Senator Kim Gillan	✓		
Senator Jerry Black	✓		
Senator Robert Story, Jr.	✓		✓
Senator Gary Branae		✓	
Chairman Jeff Essmann	✓		

VOTE: 7-4

ROLL CALL VOTE
TAXATION COMMITTEE
MONTANA STATE SENATE

Date: 4/8/09

Bill No.: HB636

Motion: do concur as amended

NAME (11 Members)	AYE	NO	Proxy
Vice Chair, Taylor Brown		✓	
Senator Ron Erickson	✓		
Senator Bradley Maxon Hamlett	✓		
Senator Kelly Gebhardt		✓	
Senator Bruce Tutvedt		✓	
Senator Christine Kaufmann	✓		
Senator Kim Gillan	✓		
Senator Jerry Black	✓		
Senator Robert Story, Jr.		✓	
Senator Gary Branae	✓		
Chairman Jeff Essmann		✓	

VOTE: 6-5

ROLL CALL VOTE

TAXATION COMMITTEE

MONTANA STATE SENATE

Date: 4-8-09

Bill No.: HB 262

Motion: Take off table

NAME (11 Members)	AYE	NO	Proxy
Vice Chair, Taylor Brown		✓	
Senator Ron Erickson	✓		
Senator Bradley Maxon Hamlett	✓		
Senator Kelly Gebhardt	✓		
Senator Bruce Tutvedt		✓	✓
Senator Christine Kaufmann	✓		
Senator Kim Gillan	✓		
Senator Jerry Black		✓	
Senator Robert Story, Jr.		✓	
Senator Gary Branae	✓		
Chairman Jeff Essmann		✓	

VOTE: 6-5

ROLL CALL VOTE
TAXATION COMMITTEE
MONTANA STATE SENATE

Date: 3 4.8.09

Bill No.: HB262

Motion: do concur

NAME (11 Members)	AYE	NO	Proxy
Vice Chair, Taylor Brown		✓	
Senator Ron Erickson	✓		
Senator Bradley Maxon Hamlett	✓		
Senator Kelly Gebhardt	✓		
Senator Bruce Tutvedt		✓	
Senator Christine Kaufmann	✓		
Senator Kim Gillan	✓		
Senator Jerry Black		✓	
Senator Robert Story, Jr.		✓	
Senator Gary Branae	✓		
Chairman Jeff Essmann		✓	

VOTE: 6-5 passes

ROLL CALL VOTE
TAXATION COMMITTEE
MONTANA STATE SENATE

Date: 4.8.09

Bill No.: HB658

Motion: be amended

NAME (11 Members)	AYE	NO	Proxy
Vice Chair, Taylor Brown	✓		
Senator Ron Erickson		✓	
Senator Bradley Maxon Hamlett		✓	
Senator Kelly Gebhardt	✓		
Senator Bruce Tutvedt	✓		
Senator Christine Kaufmann	✓		
Senator Kim Gillan	✓		
Senator Jerry Black	✓		
Senator Robert Story, Jr.		✓	
Senator Gary Branae		✓	
Chairman Jeff Essmann	✓		

VOTE: 7-4

ROLL CALL VOTE
TAXATION COMMITTEE
MONTANA STATE SENATE

Date: 4.8.09

Bill No.: HB658

Motion: be amended

NAME (11 Members)	AYE	NO	Proxy
Vice Chair, Taylor Brown		✓	
Senator Ron Erickson	✓		
Senator Bradley Maxon Hamlett	✓		
Senator Kelly Gebhardt		✓	
Senator Bruce Tutvedt		✓	
Senator Christine Kaufmann	✓		
Senator Kim Gillan	✓		
Senator Jerry Black		✓	
Senator Robert Story, Jr.		✓	
Senator Gary Branae	✓		
Chairman Jeff Essmann		✓	

VOTE: 5-6 fails

ROLL CALL VOTE
TAXATION COMMITTEE
MONTANA STATE SENATE

Date: 4.8.09

Bill No.: HB 658

Motion: be amended

NAME (11 Members)	AYE	NO	Proxy
Vice Chair, Taylor Brown	✓		
Senator Ron Erickson	✓		
Senator Bradley Maxon Hamlett	✓		
Senator Kelly Gebhardt		✓	
Senator Bruce Tutvedt	✓		
Senator Christine Kaufmann	✓		
Senator Kim Gillan	✓		
Senator Jerry Black		✓	
Senator Robert Story, Jr.		✓	
Senator Gary Branae	✓		
Chairman Jeff Essmann	✓		

VOTE: 8-3

ROLL CALL VOTE
TAXATION COMMITTEE
MONTANA STATE SENATE

Date: 4.8.09

Bill No.: HB 658

Motion: be amended

NAME (11 Members)	AYE	NO	Proxy
Vice Chair, Taylor Brown	✓		
Senator Ron Erickson		✓	
Senator Bradley Maxon Hamlett		✓	
Senator Kelly Gebhardt	✓		
Senator Bruce Tutvedt	✓		
Senator Christine Kaufmann		✓	
Senator Kim Gillan		✓	
Senator Jerry Black	✓		
Senator Robert Story, Jr.	✓		
Senator Gary Branae		✓	
Chairman Jeff Essmann	✓		

VOTE: 6-5

ROLL CALL VOTE
TAXATION COMMITTEE
MONTANA STATE SENATE

Date: 4.8.09

Bill No.: HB 658

Motion: ~~Roll call~~ be amend

NAME (11 Members)	AYE	NO	Proxy
Vice Chair, Taylor Brown	✓		
Senator Ron Erickson		✓	
Senator Bradley Maxon Hamlett		✓	
Senator Kelly Gebhardt	✓		
Senator Bruce Tutvedt	✓		
Senator Christine Kaufmann		✓	
Senator Kim Gillan		✓	
Senator Jerry Black	✓		
Senator Robert Story, Jr.		✓	
Senator Gary Branae	✓		
Chairman Jeff Essmann	✓		

VOTE: 6-5

AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from Tax Committee
because of other commitments. I desire to leave my proxy vote with:

Taylor Brown

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT AYE NO

take HR0262		
off table		X

BILL/AMENDMENT AYE NO

sen. B. Tuttle
(Signature)
B. Tuttle dt

Date 4/8/09

AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from Taxation Committee
because of other commitments. I desire to leave my proxy vote with:

Taylor Brown

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
Amend ^{HB} 312 031201.A14		X
pass ^{HB} 312 w/out amendments	X	
pass ^{HB} 312 w/ amendment 31502.alb	—	—
table ^{HB} 31	X	

BILL/AMENDMENT	AYE	NO

sen. Robert A. Story Date 4/8/09
(Signature)
Robert Story